

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SEANPAUL REYES,

Plaintiff,

-against-

THE CITY OF NEW YORK,

Defendant.

23-CV-6369 (JGLC)

ORDER

JESSICA G. L. CLARKE, United States District Judge:

It is hereby ORDERED that by November 9, 2023, unless the Second Circuit has issued an administrative stay or a stay pending appeal, the NYPD shall issue a FINEST message consistent with the following language.

On November 2, 2023, a Judge in the Southern District of New York granted a preliminary injunction barring the enforcement of Administrative Guide Procedure No. 304-21, Paragraph 7, which prohibited members of the public from recording police activity within Department facilities.

The Court has granted the City of New York until November 17, 2023 to comply with this order, and the City has asked an appeals court to allow the NYPD to enforce the Procedure until the appeal is resolved.

Unless the Appeals Court acts before November 17, 2023, on that day members of the public will be permitted to record within the publicly accessible areas of Department facilities and they may not be directed to leave a publicly accessible area of a Department facility solely because they are recording.

Members of the public who are recording may be directed to move if they are engaging in actions that physically interfere with law enforcement activity. They also may be directed to leave a facility due to conduct, other than recording, that violates the law.

Pursuant to this decision, commands are hereby directed to remove and store all signs posted within police facilities that warn members of the public against recording by November 17, 2023.

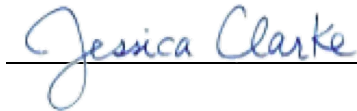
Any questions regarding these changes to guidelines may be directed to the Legal Bureau at -----.

To be read at ten (10) consecutive roll calls.

The Clerk of Court is directed to terminate ECF Nos. 33 and 34.

Dated: November 7, 2023
New York, New York

SO ORDERED.

A handwritten signature in blue ink that reads "Jessica Clarke". The signature is written in a cursive style and is positioned above a horizontal line.

JESSICA G. L. CLARKE
United States District Judge